

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 20-1187**

**September Term, 2024**

**NRC-CLI-20-04  
NRC-CLI-21-04  
NRC-CLI-21-07**

**Filed On:** November 4, 2024

Beyond Nuclear, Inc.,

Petitioner

v.

U.S. Nuclear Regulatory Commission and  
United States of America,

Respondents

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Fasken Land and Minerals, Ltd., et al.,  
Intervenors

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Consolidated with 20-1225, 21-1104, 21-1147

**BEFORE:** Srinivasan, Chief Judge; Henderson, Millett, Pillard, Wilkins, Katsas, Rao, Walker, Childs, Pan, and Garcia, Circuit Judges

**ORDER**

Upon consideration of petitioners' motion to hold its petition for en banc review or panel rehearing in abeyance pending issuance of the Supreme Court's decision in Texas v. Nuclear Regulatory Commission, 78 F.4th 827 (5th Cir. 2023), *cert. granted*, No. 23-1300, 2024 WL 4394124 (U.S. Oct. 4, 2024), and the erratum thereto, it is

**ORDERED** that the motion be granted and this case be held in abeyance pending further order of the court. The parties are directed to file motions to govern further proceedings within 30 days of the Supreme Court's resolution of Texas v. Nuclear Regulatory Commission.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Daniel J. Reidy  
Deputy Clerk